

BEFORE THE  
LABOR AND INDUSTRIAL RELATIONS COMMISSION  
JEFFERSON CITY, MISSOURI

FILED

APR - 7 2009

In the matter of:    Objection to Annual Wage Order Number 16 Issued in March 2009, as it  
                                 Pertains to the Occupational Titles of "Plumber" and "Pipefitter" in  
                                 Osage County, Missouri, Which County Is Within the Geographic  
                                 Jurisdiction of Plumbers and Pipefitters Local No. 562

On Behalf of:        Plumbers and Pipefitters Local 562

Objector.

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**OBJECTION**

COMES NOW Plumbers and Pipefitters Local 562 (hereinafter "Objector"), and files its Objections to Annual Wage Order No. 16, issued in March 2009, by the Missouri Division of Labor Standards, and for its Objection states therefore as follows:

1.     Objector is an unincorporated association representing members who perform work in the construction trades and specifically under the Occupational Titles of "Plumber" and "Pipefitter" throughout the state of Missouri of the type covered by Section 290.210, R.S.Mo., *et seq.* (the "Missouri Prevailing Wage Law"). These individual union members also perform work of the type at issue in this Objection on a regular basis. Through well-established precedent, the Objector has historically been permitted to represent the interests of its members before the Labor and Industrial Relations Commission, as have other unincorporated associations, on matters of objections to proposed Annual Wage Orders.

2.     A review of the applicable collective bargaining agreements and construction practice within the Osage County, which is within the geographic jurisdiction of Objector, reveals that changes must be made in some of the wage rates with respect to the

Occupational Titles of "Plumber" and "Pipefitter" within that county. Specifically, the following changes must be made:

(A) "Plumber"

The collectively bargained rate and prevailing rate within Osage County for the occupational title of "Plumber" is \$33.25 per hour, plus \$20.18 per hour fringe benefits for work on all projects over \$7 Million, and \$31.91 per hour, plus \$15.22 per hour for all projects under \$7 Million. These figures are based on collectively bargained rates as of January 1, 2009.

(B) "Pipefitter":

The collectively bargained rate and prevailing rate within Osage County for the occupational title of "Pipefitter" is \$33.25 per hour, plus \$20.18 per hour fringe benefits for work on all projects over \$7 Million, and \$31.91 per hour, plus \$15.22 per hour for all projects under \$7 Million. These figures are based on collectively bargained rates for the occupational title of Pipefitter effective January 1, 2009, in Osage County, Missouri.

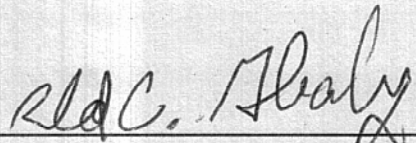
3. Objector notes specifically, aside from the fact that the rates in question are the collectively bargained rates for the titles of "Plumber" and "Pipefitter" and therefore, must be considered pursuant to Section 290.260, R.S.Mo., that there was significant work performed under the occupational titles of Plumber and Pipefitter on the Osage County Courthouse during the pendency of Annual Wage Order No. 15, which hours were not reported. The published rates under Annual Wage Order No. 15 were the collectively bargained wage rates for Plumber and Pipefitter occupational titles in Osage County, Missouri.



6. The proposed changes to Annual Wage Order No. 16 wage and fringe benefit rates as described above are reflective of the Objector's collective bargaining agreement when read in conjunction with 8 C.S.R. 30-3.060 and said collective bargaining agreements with signatory employers applies throughout the geographic area of this Objection.

WHEREFORE, it is respectfully requested that the Labor and Industrial Relations Commission consider favorably the Objection of Objector and amend the Wage Rates and Fringe Benefits as described herein to reflect the practice, collective bargaining agreement, and prevailing wage rates throughout the geographic jurisdiction of Objector and for such other changes as are deemed appropriate.

BARTLEY GOFFSTEIN, L.L.C.



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#### CERTIFICATE OF SERVICE

An original and two (2) copies of the foregoing was served on Administrative Secretary, Labor and Industrial Relations Commission, 3315 West Truman Boulevard, P.O. Box 599, Jefferson City, Missouri 65102-0599, by **Hand Deliver**; and a copy was served on the following individuals by facsimile and by placing same, postage prepaid, in the U.S. mails this 9<sup>th</sup> day of April, 2009:

Carla Buschjost, Director  
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